

## **Gift of Travel SOP**

Ref: NAVPGSCOLINST 4650.4E

Enclosures: (1) Gift of Travel Information – Fact Sheet  
(2) Gift of Travel From Non-Federal Sources  
(3) Memo of Approval  
(4) Claim for Reimbursement For Expenditures on Official Business  
(Form 1164)

### **BACKGROUND:**

A gift of travel occurs when a command accepts payment(s) from a non-federal source for travel, subsistence or related expenses for a command employee for any function related to official duties. See Attachment 1.

A non-federal source is any person or entity other than the US government. This includes individuals, private or commercial entities; not-for-profit organizations; associations; international or multi-national organizations; and local, state or foreign governments.

**POLICY:** See the Gift of Travel Fact Sheet for allowable purposes and situations.

Travelers and travel arrangers can consult Appendix O of the Joint Travel Regulations, the Foreign Clearance Guide, and NPS Security guidelines for policies governing travel.

### **PROCEDURES:**

1. Upon notification that a traveler has been invited to attend or speak at a function funded by a non-federal source, the traveler or travel arranger should complete the Gift of Travel Form (it must be typed). The completed form should be submitted to the Ethics Counselor for approval. The Ethics Counselor will write a Memo of Approval and return it with the signed Gift of Travel form. See Attachment 2 and 3.
2. After the Gift of Travel Form has been approved, travel orders should be created in Travel Manager, as usual. The orders can either be no cost, or routine. Refer to the Accounting section for Creating a Travel Authorization in the Travel Manager manual for instructions on setting the trip up as a NOCOST trip, which is located in the travel authorization section under accounting. The following information must be included in the Comments field: Gift of Travel funded by

## Gift of Travel SOP

(identify source) or, if no cost "This permissive authorization is issued with the understanding that you will not be entitled to reimbursement for any travel, per diem, transportation, or miscellaneous expenses in connection with its execution. If you do not desire to bear these expenses personally, you may choose not to execute this permissive travel authorization and it will be considered cancelled."

3. Upon return from travel, no voucher needs to be filed in Travel Manager if the orders were no cost. If not, the traveler must provide documentation detailing the actual expenses paid by the funding organization, via the Gift of Travel Form, to the Ethics Counselor or the Staff Judge Advocate.

If the Gift of Travel payment is in-kind and the trip costs are fully covered by the Gift of Travel, no further action is required.

If the Gift of Travel payment is made by check or the trip costs are not fully covered by the gift, the following procedures apply:

1. Once the check has been received, the following documentation must be submitted to the Funds Receipt staff in the Comptroller's Office: check payable to the US Treasury, Memo of Approval signed by the Ethics Counselor, Gift of Travel Form initialed by the Ethics Counselor, and a copy of the travel orders. The Funds Receipts staff will set up a line of accounting (reimbursable account) and issue a Memorandum for Funding Authorization. This memo will be forwarded to the travel arranger.
2. Once the travel arranger has received the above memo, Form 1164 should be completed for the expenses to be reimbursed, and approved. Refer to the Local Travel SOP for instructions in filling out this form.
3. The completed, approved Form 1164 should be submitted to the departmental Comptroller analyst, along with the original Memo of Approval for Gift of Travel, original receipts for reimbursement, and a copy of the travel orders. The analyst will obligate the funds and forward the documentation to Disbursing for reimbursement.

## GIFT OF TRAVEL INFORMATION

### FACT SHEET

#### **Acceptance of Payment from a Non-Federal Source for Travel Expenses While In Official Capacity**

Section 1353 of title 31, *United States Code*, permits non-Federal sources, such as organizations, associations, or businesses, to pay the Government for the expenses of transportation, accommodations, and meals for Government officials and employees in their official capacities to attend meetings and similar functions such as conferences and symposia.

The law has been implemented by the General Services Administration (Federal Travel Regulation, 41 CFR Part 304-1), and DoD (The Joint Travel Regulation (JTR) for civilians and the Joint Federal Travel Regulation (JFTR) for members of the uniformed services). The requirements are summarized below:

Before payments for travel may be accepted from a non-Federal source, the travel approving authority must make the following determinations:

- ! Payment is for attendance at a **meeting or similar function**. Travel to serve on selection boards or review panels, or to grade exams does not qualify. This regulation excludes events required to carry out an agency's statutory and regulatory functions, such as inspections, audits, site visits, or negotiations. It also excludes promotional vendor training or other meetings for the primary purpose of marketing the non-Federal source's products or services. The event need not be "widely attended."
- ! Payment is for travel related to the employee's official duties. (The employee must be in a travel status.)
- ! Payment is from a non-Federal source that is not disqualified on conflict of interest grounds. A "conflicting source" of payments is a non-Federal organization that "has interests that may be substantially affected by the performance or nonperformance of the employee's duties." In this case, the official must determine that "the agency's interest in the employee's . . . attendance at or participation in the event outweighs concern that acceptance of the payment may or may reasonably appear to influence improperly the employee in the performance of his/her official duties."
- ! The travel is primarily for the benefit of the Government, not the organization paying for it.

These determinations must be made in writing. An example is attached. The

acceptance of travel benefits must be approved by the employee's **travel approving authority** in advance.

Benefits in kind (e.g., plane tickets, prepaid hotel reservations) are preferred. **Cash may not be accepted by DoD employees.** If benefits are provided by reimbursement of expenses, checks must be made out by the non-Federal source to the U.S. Treasury or the DoD Component, not to the employee.

### **Reports:**

Prior to acceptance of the benefits, the travel approving authority must approve the acceptance of the travel benefits. A model memorandum is included as Attachment 1. Please note that ethics counselor concurrence is required when the employee's official duties could effect the interests of the non-Federal source.

After the travel has been completed, if the value of the travel benefits exceed \$250, a report (Attachment 2) must be forwarded to the ethics counselor for inclusion in the semi-annual report to the Office of Government Ethics. The travel approving authority's findings, Attachment 1, should be included.

Since these travel benefits are provided to the Government, they should not be listed as gifts on the financial disclosure report (SF 278 or OGE Form 450) of the affected Government employee.

GIFTS OF TRAVEL  
FROM NON-FEDERAL SOURCES  
(31 U.S.C. § 1353)  
NAVAL POSTGRADUATE SCHOOL

ALL INFORMATION MUST BE TYPED (EXCEPT THE SIGNATURE OF EMPLOYEE)

1. Acceptance Official:    PRESIDENT
2. Name of DoD Employee: \_\_\_\_\_ Phone: \_\_\_\_\_
3. Title of DoD Employee: \_\_\_\_\_ Code: \_\_\_\_\_
4. Name of Accompanying Spouse (if applicable) : \_\_\_\_\_
5. Name of Non-Federal Source Providing Travel: \_\_\_\_\_
6. The identity of the non-federal source that is sponsoring the event: \_\_\_\_\_
7. Nature of the event (Meeting or Conference) and reason for Employee attendance: \_\_\_\_\_
8. Date(s) of the event: \_\_\_\_\_
9. Employee's travel date(s): \_\_\_\_\_
10. Spouse's travel date(s) in connection with attendance at the event: \_\_\_\_\_
11. Location of the event: \_\_\_\_\_
- | 12. Nature of Travel Expense: | Check (to the Treasury) | In Kind | Estimated Amount | Actual Cost |
|-------------------------------|-------------------------|---------|------------------|-------------|
| Airfare                       | 9                       | 9       | \$ _____         | \$ _____    |
| Hotel                         | 9                       | 9       | \$ _____         | \$ _____    |
| Meals                         | 9                       | 9       | \$ _____         | \$ _____    |
| Other                         | 9                       | 9       | \$ _____         | \$ _____    |
- (e.g., taxi, waiver of tuition, etc.)
13. Total Amount:                      Check \$ \_\_\_\_\_                      In Kind \$ \_\_\_\_\_

**(Note: Acceptance of Cash Payments is strictly prohibited)**

14. Other Facts/Information:  
Nature and sensitivity of any matter pending at NPS affecting the interests of the non-federal source providing the travel and the employee's role in such matter: \_\_\_\_\_

Identity of expected participants: \_\_\_\_\_

**I acknowledge that knowingly making any false writing is punishable by fine, imprisonment or both (18 U.S.C. § 1001). The statements in this report are true, complete, and correct to the best of my knowledge and belief.**

Signature of Employee: \_\_\_\_\_

Date: \_\_\_\_\_

Enclosure (1)

**NAVAL POSTGRADUATE SCHOOL**  
**OFFICE OF GENERAL COUNSEL**  
1 UNIVERSITY CIRCLE ROOM 129 CODE 00C  
MONTEREY, CA 93943-5011

In reply refer to:  
5890  
Ser 00C/  
10 Jan 00

MEMORANDUM

From: Command Ethics Counselor  
To: Research Assistant Professor Elizabeth Ritchie

Subj: GIFT OF TRAVEL

Ref: (a) Gift of travel from non-Federal source form, received 7 January 2000  
(b) 31 U.S.C. § 1353  
(c) DoD 5500.7-R, Joint Ethics Regulations

Encl: (1) **Gift of travel form, to be submitted following completion of travel**

1. I have reviewed reference (a), your request for an ethics opinion regarding whether you may accept a Gift of Travel from the State University of New York-Stonybrook, to attend a seminar. You will be traveling from Monterey, California to Stonybrook, Long Island, New York from February 1<sup>st</sup> – February 3<sup>rd</sup>, 2000. Your request for acceptance of a gift of travel in the estimated amount of \$750.00 pursuant to reference (b), is legally unobjectionable and is therefore approved. Your travel approving authority may accept the gift of official travel benefits from the non-Federal source by signing your authorization for travel, DD Form 1610.

2. Be aware, however, that you may accept payment from the non-Federal source for Airfare and Hotel expenses with respect to your attending the conference only by a check made payable to the U.S. Treasury, or by payment in kind. **You may not accept payment by cash or by a check made payable to you personally as reimbursement for your expenses. If a check is made out to the U.S. Treasury, it must be payable in U.S. Dollars, drawn on a bank in the United States, you then must file a travel claim for reimbursement. The reimbursement you receive may be more than the per diem rate of the government as long as it is not unreasonable.**




3. I have attached enclosure (1) which you **MUST** complete after you return from the trip to New York in order that you may list the actual expenses incurred. **Completing the form is required by reference (c), section 4-302**, since the amount of the gift of travel and related expenses is estimated to be over \$250.00.

4. If you have any questions, please call me at (831) 656-2506.

DON LINCOLN  
Ethics Counselor

<b>CLAIM FOR REIMBURSEMENT FOR EXPENDITURES ON OFFICIAL BUSINESS</b>		1. DEPARTMENT OR ESTABLISHMENT, BUREAU, DIVISION OR OFFICE	2. VOUCHER NUMBER
			3. SCHEDULE NUMBER
<b>Read the Privacy Act Statement on the back of this form.</b>			<b>5. PAID BY</b>
<b>CLAIMANT</b>	4. a. NAME (Last, first, middle initial)	b. SOCIAL SECURITY NO.	
	c. MAILING ADDRESS (Include ZIP Code)	d. OFFICE TELEPHONE NUMBER	

[illegible]

<p>8. This claim is approved. Long distance telephone calls, if shown, are certified as necessary in the interest of the Government. (Note: If long distance calls are included, the approving official must have been authorized, in writing, by the head of the department or agency to so certify (31 U.S.C 680a).)</p> <p style="text-align: center;">Sign Original Only</p> <p>APPROVING OFFICIAL SIGN HERE </p> <p style="text-align: center;">DATE</p>	<p>10. I certify that this claim is true and correct to the best of my knowledge and belief and that payment or credit has not been received by me.</p> <p>PAYMENT DESIRED <span style="float: right;">Sign Original Only</span></p> <p><input type="checkbox"/> CHECK <input type="checkbox"/> CASH</p> <p>CLAIMANT SIGN HERE </p> <p style="text-align: right;">DATE</p>						
<p>9. This claim is certified correct and proper for payment.</p> <p style="text-align: center;">Sign Original Only</p> <p>AUTHORIZED CERTIFYING OFFICER SIGN HERE </p> <p style="text-align: center;">DATE</p>	<p>11. CASH PAYMENT RECEIPT</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 80%;">a. PAYEE (Signature)</td> <td style="width: 20%;">b. DATE RECEIVED</td> </tr> <tr> <td></td> <td>c. AMOUNT</td> </tr> <tr> <td></td> <td>\$</td> </tr> </table> <p>12. PAYMENT MADE BY CHECK NO.</p>	a. PAYEE (Signature)	b. DATE RECEIVED		c. AMOUNT		\$
a. PAYEE (Signature)	b. DATE RECEIVED						
	c. AMOUNT						
	\$						

[illegible]